

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/118

MAR 31 12 56 PM '98

POSTAL RATE
OFFICE DEPT. OF COMMERCE

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING ON THE EVIDENTIARY STATUS OF DFC/USPS-RT-23-XE-2 through 4

(March 31, 1998)

During hearings on March 16, 1998, Douglas F. Carlson submitted three cross-examination exhibits during follow-up examination of Postal Service rebuttal witness Needham. These exhibits were accepted into evidence subject to authentication by the Postal Service. Tr. 32/17097. A Postal Service objection was preserved, and the Service was to notify the Commission if it ascertained that the documents were not as described by Mr. Carlson.

On March 20, 1998, the Postal Service submitted a pleading¹ contending that two of the three documents were not accurately described by Mr. Carlson as the letters leading to exhibits appended to USPS-RT-23. The Service suggests that two of these documents (DFC/USPS-RT-23-XE-2 and 3) should be stricken from the record, or accorded no weight by the Commission.

¹ Comments of United States Postal Service on Evidentiary Status of Douglas F. Carlson Letters Admitted into the Record at the March 16, 1998 Hearing for Postal Service Witness Needham.

In a response filed March 30, 1998,² Carlson explains that his oral statement was more narrow than intended, but that all three letters are helpful to evaluate Postal Service claims that it had responded to his concerns. In light of this clarification, I see no need to strike these exhibits. These documents appear to have somewhat limited application to issues before the Commission, and they will be accorded appropriate weight by the Commission.

RULING

Appropriate -weight shall be accorded to DFC/USPS-RT-23-XE-2 and 3 (Tr. 32/17099-102).



Edward J. Gleiman
Presiding Officer

² Douglas F. Carlson Response to Comments of United States Postal Service on Evidentiary Status of Douglas F. Carlson Letters Admitted into the Record at the March 16, 1998, Hearing for Postal Service Witness Needham.